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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,669	03/11/2004	David J. Wendell	47171-00426USP1	6277
41230 7590 07/24/2008 CUMMINS-ALLISON CORP. C/O NIXON PEABODY LLP 161 N. CLARK ST., 48TH FLOOR CHICAGO, IL 60601				
EXAMINER				
MCCULLOUGH, MICHAEL C				
ART UNIT		PAPER NUMBER		
3653				
MAIL DATE		DELIVERY MODE		
07/24/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/798,669

**Applicant(s)**

WENDELL ET AL.

**Examiner**

MICHAEL C. MCCULLOUGH

**Art Unit**

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

#### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claims 1, 2, 5, 8-14, 16-20, and 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hossfield et al. (US 5,684,597) in view of Rasmussen et al. (5,277,651). Hossfield et al. discloses a coin processing system comprising a coin path (18), a rotatable disc (22), a memory storing master denominating characteristic information (see column 6 lines 51-57) for a plurality of particular coin sizes, a stationary sorting head (24a,b) forming a coin path, an exit region (64), a light source (48a-d), a light detector (50a-d) that is a photo detector, a controller (54) adapted to compare signals and compare information with the stored master denominating characteristic information (see column 6 lines 48-56) and determine when there is a favorable determination (see column 6 lines 56-58), generating a first signal event corresponding to the interruption of the light beam (see column 4 lines 38-40), generating a second signal event corresponding to when light is incident (see column 4 lines 55-57). Hossfield et al. does not disclose an encoder that produces an encoder pulse for each incremental movement of the rotatable disc and a diverter with positions to plural exit paths. However, Rasmussen et al. discloses a similar device that includes an encoder (see column 12 lines 16-24) and a diverter with positions to plural exit paths (see

column 9 lines 11-25) for the purpose of precisely monitoring the angular movement of the rotatable disc (see column 6 lines 16-24) and diverting coins to appropriate paths (see column 9 lines 16-25). It would have been obvious for a person of ordinary skill in the art at the time of the applicant's invention to modify Hossfield et al. by utilizing an encoder, as disclosed by Rasmussen et al., for the purpose of precisely monitoring the angular movement of the rotatable disc and diverting coins to appropriate paths.

2. Claims 3, 4, 6, 7, 15, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hossfield et al. (US 5,684,597) in view of Rasmussen et al. (5,277,651) as applied to claims 1, 2, 5, 8-14, 16-20, and 22-27 above, and further in view of Panzeri et al. (US 6,142,285). Hossfield et al. in view of Rasmussen et al. discloses all of the limitations of the claims but does not disclose a laser diode and at least one light guide along the coin path. However, Panzeri et al. discloses a similar device that includes a laser diode (11) and at least one light guide (12) along the coin path for the purpose of producing a laser beam (see column 6 line 56) and increasing the size of the laser beam to impinge upon larger portions of a coin (see column 6 lines 60-63). It would have been obvious for a person of ordinary skill in the art at the time of the applicant's invention to modify Hossfield et al. in view of Rasmussen et al. by utilizing a laser diode and at least one light guide, as disclosed by Panzeri et al., for the purpose of producing a laser beam and increasing the size of the laser beam to impinge upon larger portions of a coin.

***Response to Arguments***

3. Applicant's arguments, filed 15 August 2007, with respect to the rejection(s) of claim(s) 1-27 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hossfield et al. in view of Rasmussen et al. and Hossfield et al. in view of Rasmussen et al. in farther view of Panzeri et al..

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL C. MCCULLOUGH whose telephone number is (571)272-7805. The examiner can normally be reached on Monday-Friday, 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3653

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick H. Mackey/  
Supervisory Patent Examiner, Art  
Unit 3653

MCM